

## HUMAN SERVICES DEPARTMENT[441]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 237A.12, the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 109, “Child Care Centers,” Chapter 110, “Child Development Homes,” and Chapter 120, “Child Care Homes,” Iowa Administrative Code.

The following amendments are federally mandated as a result of the Child Care and Development Block Grant (CCDBG) reauthorization. The proposed amendments:

- Require child care centers, child development homes and child care homes to have written emergency plans for response to food or allergic reactions;
- Include the preservice/orientation training component of child development; and
- Clarify the intent of essential child care training requirements for substitutes.

In addition, these amendments provide technical updates to rules for child care regarding first aid/CPR requirements.

Any interested person may make written comments on the proposed amendments on or before April 18, 2017. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 237A.12.

The following amendments are proposed.

ITEM 1. Adopt the following **new** subparagraph **109.7(1)“e”(10)**:

(10) Child development, on or after August 1, 2017.

ITEM 2. Adopt the following **new** paragraph **109.9(2)“g”**:

g. For any child with allergies, a written emergency plan is available in case of an allergic reaction.

A copy of this information shall accompany the child if the child leaves the premises.

ITEM 3. Adopt the following **new** paragraph **109.10(3)“d”**:

d. A child care staff member shall not provide medications to a child if the staff member has not completed preservice/orientation training that includes medication administration.

ITEM 4. Amend paragraph **110.9(3)“e”** as follows:

e. Certification or other documentation that minimum health and safety training has been completed in compliance with paragraph 110.10(1)“~~a.~~” “a” within three months of a substitute’s hiring or before a substitute provides care, whichever occurs first.

ITEM 5. Amend subrule 110.9(4) as follows:

**110.9(4) Children’s files.** An individual file for each child shall be maintained and updated annually or when the provider becomes aware of changes. The file shall contain:

a. to g. No change.

h. For any child with allergies, a written emergency plan in case of an allergic reaction. A copy of this information shall accompany the child if the child leaves the premises.

~~h. i.~~ A list that is signed by the parent and names persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.

~~i. j.~~ Written permission from the parent for the child to attend activities away from the child development home. The permission shall include:

- (1) Times of departure and arrival.
- (2) Destination.
- (3) ~~Persons~~ Names of persons who will be responsible for the child.

~~j. k.~~ Injury report forms documenting injuries requiring first aid or medical care.

~~k. l.~~ If the child meets the definition of homelessness as defined by Section 725(2) of the McKinney-Vento Homeless Education Assistance Act, the family shall receive a 60-day grace period to obtain medical documentation.

ITEM 6. Adopt the following new subparagraph **110.10(1)“a”(10)**:

(10) Child development, on or after August 1, 2017.

ITEM 7. Amend subparagraph **110.10(1)“c”(2)** as follows:

(2) ~~First-aid~~ CPR training shall include certification in infant and child ~~first-aid~~ CPR.

ITEM 8. Amend subrule 120.9(2) as follows:

**120.9(2)** The file shall contain:

a. to g. No change.

h. For any child with allergies, a written emergency plan in case of an allergic reaction. A copy of this information shall accompany the child if the child leaves the premises.

~~h. i.~~ Written permission from the parent for the child to attend activities away from the child care home. The permission shall include:

- (1) Times of departure and arrival.
- (2) Destination.
- (3) Names of persons who will be responsible for the child.

~~i. j.~~ If the child meets the definition of homelessness as defined by Section 725(2) of the McKinney Vento Homeless Education Assistance Act, the family shall receive a 60-day grace period to obtain medical documentation.

ITEM 9. Adopt the following new paragraph **120.10(1)“j”**:

j. Child development, on or after August 1, 2017.

ITEM 10. Amend paragraph **120.10(3)“b”** as follows:

b. ~~First-aid~~ CPR training shall include certification in infant and child ~~first-aid~~ CPR.

ITEM 11. Adopt the following new subrule 120.10(5):

**120.10(5)** Approved substitutes must have certification or other documentation that minimum health and safety training has been completed in compliance with 441—subrule 110.10(1) within three months of a substitute’s hiring or before a substitute provides care, whichever occurs first.